



FAQ Number: 301

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Question: What is the process of facility regulation?

Answer:

Facilities that register with DHS will complete the Top-Screen to determine if they are exempt from the regulation and, if not exempt, they will complete this consequence-based assessment. Upon completing the Top-Screen a facility will be evaluated to determine if it presents a high level of security risk. The Department will notify the facility in writing of its initial determination. If the Department's preliminary determination is that the facility is not a high risk facility the department will send a letter stating its determination. See Attachment B for an example of such a letter.

If the Department's preliminary determination is that the facility is a high risk facility the department will also notify the facility's of its placement in a risk-based tier pursuant to §27.220(a). See Attachment C for an example of such a letter. The facility will then be required to complete an SVA. The purpose of the SVA is to identify the critical onsite assets (based on the security concerns identified in the Top-Screen), evaluate the vulnerabilities of these critical assets against a defined set of potential attack scenarios, re-evaluate the potential consequence on an asset basis, and determine a final facility tier level. Following communication of the final facility tier, the facility will complete a SSP detailing the security measures to protect the identified critical assets, and meet the intent of the Risk-Based Performance Standards, as outlined in 6 CFR Part 27.